

UNIVERSITY OF MINNESOTA

January 24, 2003

Office of the Vice President for Research

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Select Agent Program
Centers for Disease Control and Prevention
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The University of Minnesota is writing in response to the Centers for Disease Control and Prevention's request for comments on 42 CFR Part 73, Interim Final Rule, Possession, Use, and Transfer of Select Agents and Toxins published in the Federal Register, Vol. 240, No. 67 on Friday, December 13, 2002. The University of Minnesota is a land grant institution with four campuses, an enrollment of 60,400 students and sponsored research totaling \$527 million.

The University of Minnesota supports the comments and recommendations for 42 CFR Part 73 submitted by the Howard Hughes Medical Institute (HHMI) on January 21, 2003. We have attached a copy of the HHMI "Comments on 42 CFR Part 73" for your reference. Specifically, the basis for our support and endorsement is that the recommendations will ensure the appropriate availability of biological agents and toxins for research, education, and other legitimate purposes and will make the safeguard and security requirements for persons possessing, using, or transferring a listed agent or toxin risk-based. These provisions are requirements of the "Public Health Security and Bioterrorism Preparedness and Response Act of 2002." Generally, the adoption of the recommendations of the HHMI will lessen the administrative burden of the Final Rule, allow for an effective performance-based security plan, and ensure the relevance of the Final Rule to the biomedical research environment.

We would also propose that HHS and USDA create a mechanism such as a grant or loan program, to provide at least partial funding of physical security improvements associated with these rules. The budget deficits in many states such as Minnesota and the aggressive timetable for implementation of these rules present a significant financial burden for publicly funded institutions. The availability of such funding would greatly help us comply with the security provisions of the Select Agent rules in a timely manner.

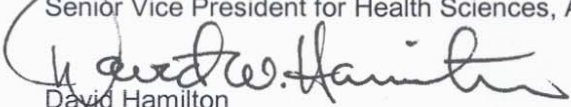
We appreciate the opportunity to comment on the Interim Final Rule.

Sincerely,



Frank Cerra

Senior Vice President for Health Sciences, Academic Health Center



David Hamilton

Interim Vice President for Research



Craig Moody

Interim Director of Health and Safety and Responsible Official

Enclosure: Comments on 42 CFR Part 73, Interim Final Rule
Possession, Use and Transfer of Select Agents and Toxins